



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 25 2006

OFFICE OF
CIVIL RIGHTS

RETURN RECEIPT REQUESTED
Certified Mail #7004-1160-0004-8430-7629

In Reply Refer To:
13R-05-R6

[REDACTED]

Re: Dismissal of Administrative Complaint

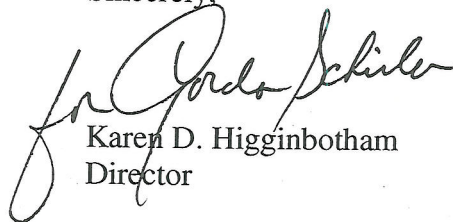
Dear [REDACTED]:

This is to notify you that the U.S. Environmental Protection Agency (EPA) Office of Civil Rights (OCR) has received your request dated July 27, 2006 to withdraw the complaint you filed on October 24, 2005. The complaint alleged that the EPA Region 6 Office, the Texas Commission on Environmental Quality (TCEQ), and the El Paso City-County Health & Environmental District violated Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d *et seq.*, and EPA's regulations implementing Title VI at 40 C.F.R. Part 7. The complaint pertained to the clean up and removal of slag fines from the Smelter Cemetery in El Paso, Texas. Your withdrawal request indicated that since you filed the complaint in October 2005, TCEQ has worked toward remediating the Smelter Cemetery. As a result of your request, OCR is dismissing this complaint.

Under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, it may be necessary to release this information, any related correspondence and records upon request. Should we receive such a request, we will seek to protect, to the extent provided by law, personal information which, if released, could constitute an unwarranted invasion of privacy.

If you have any questions regarding this letter, please contact Ms. Karen Randolph of the OCR External Compliance Program by telephone at (202)343-9679, via electronic mail at Randolph.karen@epa.gov, or by mail at: U.S. EPA, Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460-1000.

Sincerely,



Karen D. Higginbotham
Director

cc: Glen Shankle, Executive Director (MC 109)
Texas Commission on Environmental Quality
Post Office Box 13087
Austin, TX 78711-3087

Dr. Jorge Magana, M.D., F.A.A.P., Director
El Paso City-County Health & Environmental District
5115 El Paso Drive
El Paso, TX 79905

Congressman Silvestre Reyes
House of Representatives
2433 Rayburn House Office Building
Washington, D.C. 20515

Steve G. Pressman, Associate General Counsel
Civil Rights Law Office (MC 2399A)

Sherry Brown-Wilson, Title VI Coordinator
EPA Region 6